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January 7, 2022

VIA ELECTRONIC FILING

Magistrate Judge Steven I. Locke
United States District Court, Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *John Doe v. Long Island University, et al.*
Civil Action No. 2:20-cv-4256

Dear Magistrate Judge Locke:

We represent the Plaintiff in the above-referenced matter. We write on behalf of all parties pursuant to your Individual Rules to request an adjournment of the remaining discovery deadlines in this action.

On November 10, 2021, Defendants submitted a letter motion for an extension of time to complete discovery and on November 11, 2021, Your Honor granted said extension to January 28, 2022. ECF Doc. No. 26.

Since that time, the deposition of Plaintiff and both of his parents was conducted on November 19, 2021. The parties have diligently proceeded through the discovery process. Plaintiff and Defendants have scheduled two additional depositions to take place on January 26, 2022 and January 27, 2022. We have scheduled the final deposition to take place on March 4, 2022.

In sum and to date, there are seven depositions that were noticed, and three deposition have been completed. The outstanding depositions are now all scheduled with the final deposition taking place on March 4, 2022. Given that the current deadline to complete discovery is January 28, 2022, Plaintiff and Defendants respectfully request that the deadline to complete discovery in this matter be extended to April 8, 2022.

Accordingly, the parties also respectfully request an extension to the remaining deadlines set forth in the Scheduling Order as follows:

April 8, 2022

Completion of discovery

April 8, 2022

Identification of case-in-chief experts and
service of Rule 26 disclosures

May 6, 2022

Identification of rebuttal experts and service of Rule 26 disclosures

July 15, 2022

Commencement of summary judgment motion practice. Depending on the assigned district judge, the first action commencing the practice would be either requesting a pre-motion conference or initiating the exchange of Local Civil Rule 56.1 statements. Parties are required to consult the individual rules of the district judge regarding motion practice.

We note that the Court previously scheduled a pre-trial conference date of April 27, 2022. We request that the pre-trial conference be rescheduled to a date and time convenient to the Court that takes the amended schedule into consideration.

We appreciate your attention to this request.

Respectfully submitted,

AIDALA, BERTUNA & KAMINS, P.C.

s/Michael DiBenedetto

Michael DiBenedetto, Esq.

cc: Suzanne Messer, Esq.
Laura Harshbarger, Esq.